IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

-

WRIT PETITION NO : 11684 of 2005

Between:

1 Vattikolu Tejamma, W/o. Appaiah,
r/o. K. Marripadu Village, Meliputti Mandal, Srikakulam District.
2 Chapara Sreenu, S/o. Gopalu,
R/o. K. Marripadu Village, Meliputti Mandal, Srikakulam District.
3 Landa Venkatarao, S/o. Barikayya,
R/o. Meliputti Mandal, Srikakulam District.
4 Savara Chinari, W/o. Late Nagaiah,
Meliaputti Mandal, Srikakulam District.

..... PETITIONERS

AND

1 The District Collector (Panchayat Raj), Srikakulam, Srikakulam District.
2 The Gram Panchayat, K. Marripadu, rep. by its Sarpanch,
Savara Varahalu, R/o. K. Marripadu Village,
Jeliaputti Mandal, Srikakulam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue an appropriate order or direction more particularly a Writ in the nature of Writ of Mandamus declaring the proceedings Letter R.c.No. 2722/01 B Dt. 15.4.2005 issued from the office of the District Collector, Srikakulam Permitting the construction of Gram Panchayat Building at Jarribhadra, Meliaputti Mandal, Srikakulam District as illegal, and arbitrary contrary to the sanctioned plan and estimate and violative of Article 14 of the Constitution of India.

Counsel for the Petitioners: MR.A.RAVI SHANKAR

Counsel for the Respondent No.1: GP FOR PANCHAYAT RAJ & RURAL DEV.

Counsel for the Respondent No.2: None appeared.

The Court made the following :

ORDER:

The Writ Petition is filed challenging the order of the first respondent dated 15.04.2005 permitting construction of gram panchayat building of K.Marripadu at Jarribhadra, Meliaputti mandal, Srikakulam district.

After hearing both sides and on perusal of the material, it is seen that while disposing of the earlier Writ Petition No. 21734 of 2004 filed by the petitioners challenging construction of gram panchayat building of K.Marripadu at Jarribadra, this Court, as per the order dated 01.12.2004, directed the first respondent to consider the representation of the petitioners dated 11.11.2004 and pass appropriate orders in accordance with law. In compliance of the said order, the first respondent got conducted gram sabha meeting wherein majority of the members agreed to construct the gram panchayat building of K.Marripadu hamlet at Jarribadra, and passed the impugned orders accordingly permitting construction of the building at Jarribadra. Therefore, the administrator has satisfied himself that the opinion of majority members of the gram sabha is in favour of construction of the gram panchayat building of K.Marripadu hamlet at Jarribadra. I see no grounds to interfere with the majority decision of the gram sabha.

The Writ Petition is, accordingly, dismissed. No order as to costs.

09.06.2005

DRK

Copy to:

1 The District Collector (Panchayat Raj), Srikakulam, Srikakulam District.
2 The Sarpanch, Gram Panchayat, K. Marripadu,
R/o. K. Marripadu Village, Jeliaputti Mandal, Srikakulam District.

3 Two CCs to the G.P. for Panchayat Raj and Urban Development, High Court of A.P., High Court buildings, Hyderabad (o.u.t.).

4 Two CD copies.